

Washington, D.C.

UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD

G4S GOVERNMENT SOLUTIONS, INC.
Employer

and

Case 05-RC-126522

S.D.M. OF AMERICA, INC.

Petitioner

and

FEDERAL CONTRACT GUARDS OF AMERICA,
INTERNATIONAL UNION (FCGOA)
Intervenor

DECISION AND CERTIFICATION OF REPRESENTATIVE

The National Labor Relations Board, by a three-member panel, has considered objections to a mail ballot election held between July 22, 2014, and August 12, 2014, and the hearing officer's report recommending disposition of them. The election was conducted pursuant to a Decision and Direction of Election. The tally of ballots shows 99 for the Petitioner, 20 for the Intervenor, and 3 against the participating labor organizations, with no challenged ballots.

The Board has reviewed the record in light of the exceptions¹ and supporting argument, has adopted the hearing officer's findings and recommendations,² and finds that a certification of representative should be issued.

¹ The hearing officer divided the Intervenor's Objection 2 into three issues and separately analyzed each issue. Although the Intervenor excepted to the hearing officer's recommendation to overrule Objection 2, the Intervenor provided supporting

CERTIFICATION OF REPRESENTATIVE

IT IS CERTIFIED that a majority of the valid ballots have been cast for S.D.M. of America, Inc., and that it is the exclusive collective-bargaining representative of the employees in the following appropriate unit:

All full-time and regular part-time Justice Protective Service Officers (JPSOs) assigned to the Department of Justice's contract in the North Capitol Area; but excluding all office and/or clerical employees, professional employees, temporarily assigned employees, substitute employees, managerial employees, and supervisors as defined by the Act.

Dated, Washington, D.C., February 12, 2015

Mark Gaston Pearce, Chairman

Philip A. Miscimarra, Member

Lauren McFerran, Member

(SEAL)

NATIONAL LABOR RELATIONS BOARD

argument only with respect to that part of Objection 2 concerning Brent Willis's allegedly objectionable pro-Petitioner supervisory conduct. The Intervenor did not address other aspects of Objection 2 in its supporting argument, and we therefore disregard those matters. See *2 Sisters Food Group*, 357 NLRB No. 168, slip op. at 3 fn. 11 (2011).

² In adopting the hearing officer's recommendation to overrule the Intervenor's Objection 2, we assume without deciding that Brent Willis was a Sec. 2(11) supervisor during the critical period. Even on that assumption, we affirm the hearing officer's finding that the Intervenor failed to produce any evidence that Willis engaged in objectionable pro-Petitioner supervisory conduct. In adopting the hearing officer's recommendation to overrule the Intervenor's Objection 3, we rely on his finding that only approximately 10 percent of the addresses on the eligibility list were inaccurate, and do not rely on his finding that the Intervenor had additional employee contact information apart from the eligibility list.